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### **REMARKS**

In response to the above-identified Final Office Action, Applicants amend the Application and seek consideration of the following remarks. In this Response, Applicants amend claims 1, 3, 5, and 19. Applicants do not cancel or add any new claims. Accordingly, claims 1-20 remain pending in the Application.

#### **I. Claims 1 and 3 Amended to Place in Condition for Allowance**

Applicants note that claims 1 and 3 have been amended to recite elements similar to those recited in claim 5, which the Examiner has allowed. Therefore, Applicants submit that the amendments to claims 1 and 3 should be entered since no new matter is added by the amendments and the amendments do not necessitate further search. Moreover, Applicants respectfully submit that claims 1 and 3, and their respective dependent claims, are in condition for allowance.

#### **II. Claim Rejections**

As noted above, Applicants submit that the amendments to independent claims 1 and 3 place each of claims 1-4, 8, and 9 in condition for allowance. In addition, Applicants believe the Examiner mistakenly rejected claims 19 and 20 since the Examiner did not provide grounds for a rejection of these claims and then later indicated that claims 19 and 20 are allowable subject matter. However, should the Examiner disagree, Applicants submit the following arguments.

Claims 1-4, 8, 9, 19, and 20 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,912,631 issued to Kusunoki ("*Kusunoki*") is view of U.S. Patent Application Publication No. 2001/0047244A1 filed by Harrison et al. ("*Harrison*"). Applicants amend independent claims 1 and 3.

To render a claim obvious, the cited references must teach or suggest each and every element of the rejected claim (*see* MPEP § 2143). Among other elements, claim 1 defines "an adaptive vehicle locking system comprising a plurality of sensors to sense opening and closing of an associated vehicle door and to send second signals indicating an opening and the delay between the opening and a closing of the associated vehicle

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door, [and] a memory for storing a history of the second signals" (emphasis added). Applicants submit the combination of *Kusunoki* and *Harrison* fails to disclose at least these elements of independent claim 1.

In making the rejection, the Examiner indicates that "Kusunoki fails to teach storing a history of the second signals produced by the sensors and instead actively pools the sensors" (Paper No./Mail Date 04192006, page 6, citing reference numerals 107 and 112 of *Kusunoki*). In reviewing *Kusunoki*, Applicants agree that *Kusunoki* fails to disclose such elements. The Examiner relies on the disclosure of *Harrison* to cure the defects of *Kusunoki*, however, Applicants submit *Harrison* fails to cure such defects.

In characterizing *Harrison*, the Examiner asserts "Harrison et al. teaches storing the position of a door into memory ...and then use this stored information at step (208, Figure 2) in which to determine if a door is open" (Paper No./Mail Date 04192006, page 6). Applicants note that as amended claim 1 recites sending "an opening and the delay between the opening and a closing of the associated vehicle door" to a memory, not simply storing a position (i.e., open or closed) of the door. Moreover, in reviewing *Harrison*, Applicants are unable to discern any sections disclosing at least "an opening and the delay between the opening and a closing of the associated vehicle door," as recited in claim 1. Thus, *Harrison* fails to cure the defects of claim 1.

The failure of the combination of *Kusunoki* and *Harrison* to disclose each and every element of claim 1 is fatal to the obviousness rejection. Therefore, claim 1 is not obvious over *Kusunoki* in view of *Harrison*. Accordingly, Applicants respectfully request withdrawal of the rejection of independent claim 1.

Claim 2 depends from claim 1 and includes all of the elements thereof. Therefore, Applicants submit claim 2 is not obvious over *Kusunoki* in view of *Harrison* at least for the same reasons as claim 1, in addition to its own unique features. Accordingly, Applicants respectfully request withdrawal of the rejection of claim 2.

With respect to the rejection of independent claim 3, Applicants submit claim 3, as amended, defines "a method for adaptively actuating a vehicle locking system for locking the doors of a vehicle, the method comprising the steps of storing a history of vehicle door openings and closings including a pattern of door openings and a delay

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between an opening and a closing of each door opened" similar to claim 1 discussed above. Therefore, Applicants submit claim 3 is not obvious over *Kusunoki* in view of *Harrison* at least for the same reasons as claim 1, in addition to its own unique features. Accordingly, Applicants respectfully request withdrawal of the rejection of independent claim 3.

Claims 8 and 9 depend from claim 3 and include all of the elements thereof. Therefore, Applicants submit claims 8 and 9 are not obvious over *Kusunoki* in view of *Harrison* at least for the same reasons as claim 3, in addition to their own respective features. Accordingly, Applicants respectfully request withdrawal of the rejection of claim 2.

With respect to the rejection of claims 19 and 20, Applicants believe the Examiner mistakenly stated that claims 19 and 20 are rejected because the Examiner does not indicate any reasons for the rejection and then subsequently indicates that claims 19 and 20 are allowable subject matter. Accordingly, Applicants respectfully request withdrawal of this rejection or a clear indication of the reasons why the Examiner believes claims 19 and 20 are obvious over *Kusunoki* in view of *Harrison*.

### **III. Objected Claims**

Applicants note with appreciation that Examiner's indication that claims 19 and 20 would be allowable if re-written to correct some informalities. Applicants have amended claim 19 to correct the informalities and submit claims 19 and 20 are in condition for allowance.

### **IV. Allowed Claims**

Applicants note with appreciation the Examiner's indication that claims 5-7 and 10-18 are in condition for allowance. Notably, Applicants have amended claim 5 to correct antecedent basis informalities. Applicants submit no new matter is added by these amendments.

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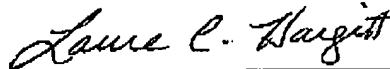
### CONCLUSION

In view of the foregoing amendment and remarks, claims 1-20 of the present invention are believed to distinguish over the cited art and to be in condition for allowance. Such allowance is therefore earnestly requested.

After entry of these amendments, all claims now presently in the application are believed allowable over the prior art cited, and such allowance is respectfully requested. Should the Examiner have any questions or wish to further discuss this application, Applicant requests that the Examiner contact the undersigned attorney at 313-665-4710.

If for some reason Applicant has not requested a sufficient extension and/or has not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No.07-0960 for any fee which may be due.

Respectfully submitted,



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